

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

SHELA B. ACOSTA,

Plaintiff.

v.

No. 4:22-cv-0233-P

ARLINGTON HOUSING AUTHORITY,

Defendant.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES
MAGISTRATE JUDGE**

United States Magistrate Judge Jeffrey L. Cureton made Findings, Conclusions, and a Recommendation (“FCR”) in this case on June 9, 2022. ECF No. 12. The FCR recommended the dismissal of this action because Plaintiff failed to comply with the Court’s order to file a Complaint that complied with the Federal Rules of Civil Procedure. *Id.* Plaintiff filed an objection to the FCR because she argued that the Magistrate Judge incorrectly denied her motion to appoint counsel. ECF No. 13. No other objections were raised, and the Magistrate Judge’s FCR is ripe for review.

Plaintiff’s failure to file specific written objections bars her from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Services Auto. Ass’n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc). Here, Plaintiff did not object to the dismissal for failure to comply with the Court’s order; she merely sought to relitigate her motion to appoint counsel. The Magistrate Judge has already considered and addressed her arguments to appoint counsel. The Court is “not obligated to address objections [which are merely recitations of the identical arguments made before the Magistrate Judge] because . . . such objections undermine the purpose of the Federal

Magistrate's Act, 28 U.S.C. § 636, which serves to reduce duplicative work and conserve judicial resources[.]” *Owens v. Comm'r of Soc. Sec.*, 1:13-47, 2013 WL 1304470, at *3 (W.D. Mich. Mar. 28, 2013) (emphasis in original). Accordingly, the undersigned reviewed the FCR for plain error. Finding none, the undersigned District Judge believes that the Findings and Conclusions of the Magistrate Judge are correct.

Therefore, the Court **ADOPTS** the reasoning in the Magistrate Judge's FCR and **OVERRULES** Plaintiff's objection. Accordingly, Plaintiff's claims against Defendant in the instant action are hereby **DISMISSED without prejudice**.

SO ORDERED on this 24th day of June, 2022.



Mark T. Pittman
United States District Judge